

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re:
Michael J Orta and
Autumn A. Anderson

Debtors.

Chapter 13 No. 13-46804

Hon. Marci B. McIvor

OBJECTIONS TO CONFIRMATION

NOW COMES Flagstar Bank, FSB, by and through their attorneys, Trott & Trott, P.C., and hereby Objects to Confirmation as follows:

1. That Creditor is a holder of a mortgage on real property owned by the debtor(s) and located at 527 Emerald Glen Dr, Manchester, MI 48158-8777;
2. That the mortgage is in material default pursuant to the Proof of Claim filed by Creditor;
3. That the Debtor's Plan of Reorganization proposes to pay Creditor a regular monthly payment of \$1,211.00 and a pre-petition arrearage of \$16,000.00 at the rate of \$266.67 per month with 0% interest over 60 months;
4. That according to Creditor's records, Creditor must receive the regular monthly payment of \$1,206.21 plus a pre-petition arrearage of approximately \$20,369.45 at the rate of at least \$565.82 per month in order for the arrearage to be cured within a reasonable length of time, i.e., 36 months;
5. That the Debtor's proposed Plan of Reorganization understates the pre-petition arrearage and the monthly payment on the pre-petition arrearage;
6. That the Debtor's Plan of Reorganization proposes an unreasonable length of time to cure the pre-petition arrearage, i.e., 60 months;
7. That the debtor's proposed Plan of Reorganization is underfunded;
8. That the Plan fails to provide that 100% of all future tax refunds received by the debtor during the pendency of the Plan be remitted to the Trustee for distribution among

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creditors in contravention of 1 U.S.C. § 1325(b)(1)(B) and *In re Freeman*, 86 F.3d 478 (6th Cir., 1996).

WHEREFORE, Creditor prays that Confirmation be denied.

Respectfully Submitted,
Trott & Trott, P.C.

Dated: May 10, 2013



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